

FORM PTO-1390 (REV 10-94)

U.S. Dept. of Commerce and Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER:
P40.2-9585TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known):

09/701807

INTERNATIONAL APPLICATION NO.:
PCT/AU99/00422INTERNATIONAL FILING DATE
(dd/mm/yy): 31/05/99PRIORITY DATE CLAIMED (dd/mm/yy):
03/06/98TITLE OF INVENTION:
PRE-FILLED CONTAINERAPPLICANT(S) FOR DO/EO/US:
POPOVSKY, FRANK ALEXANDER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371 (c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.29 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment. Please enter the amendment before fee calculation.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Constructive Petition for Extension of Time and Fee Authorization Pursuant to 37 C.F.R. 1.136(a)(3) and Correspondence Address of Law Firm

09/701807

525 Re PCT/PTO 01 DEC 2000

CALCULATIONS

PTO USE ONLY

17. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5)):

(select the appropriate one of the following fees)

Search Report has been prepared by the EPO or JPO \$ 930.00
 International preliminary examination fee paid to
 USPTO (37 CFR 1.482) \$ 490.00
 No international preliminary examination fee paid to USPTO
 (37 CFR 1.482) but international search fee paid to
 USPTO (37 CFR 1.445(a)(2)) \$ 750.00
 Neither international preliminary examination fee (37 CFR
 1.482) nor international search fee (37 CFR
 1.445(a)(2)) paid to USPTO \$ 1,070.00
 International preliminary examination fee paid to USPTO
 (37 CFR 1.482) and all claims satisfied provisions
 of PCT Articles 33(2)-33(4) \$ 98.00

1070.00
\$

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		x \$ 22.00	\$330.00	
Independent Claims	- 3 =		x \$ 82.00	\$	
Multiple Dependent Claims (if applicable)			+ \$ 270.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1400.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be: Refunded	\$
				Charged	\$

- a. ☒ A check in the amount of \$1400.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees is enclosed. A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.

Send All Correspondence To:
 Vidas, Arrett & Steinkraus, P.A.
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 Minnetonka, MN 55343-9185
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By:

SCOTT Q. VIDAS, ESQ.
 Registration No. 30812

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES RECEIVING OFFICE (RO/US)

In re Application of: POPOVSKY, Frank Alexander
U.S. Nat'l Stage of PCT/AU99/00422
Int'l App. No.:
Int'l Filing Date: May 31, 1999
For: **PRE-FILLED CONTAINER**

Box PCT
ATTN: EO/US
Commissioner for Patents
Washington, D.C. 20231

Docket No.: P40.2-9585

TRANSMITTAL LETTER

1. In regard to the above-identified application, we are submitting the attached:
3 pg. Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371; 1 pg. Constructive Petition for Extension of Time; 1 pg. Correspondence Address; Check for \$1,400.00; 1 pg. VAS Transmittal Letter; and Postcard.
2. With respect to fees:
☐ No additional fee is required.
☒ Attached is check(s) in the amount of \$1,400.00.
☐ Charge additional fee to our Deposit Account No. 22-0350.

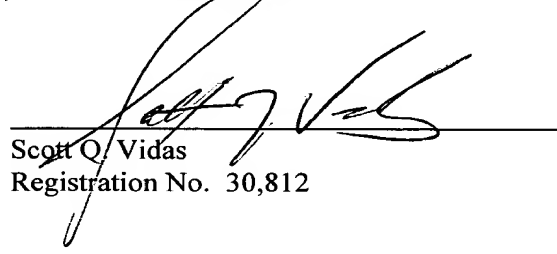
CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME

3. This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time. If any extension of time for the accompanying response is required, Applicant requests that this be considered a petition therefor.
4. Please charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 22-0350.

VIDAS, ARRETT & STERNKRAUS

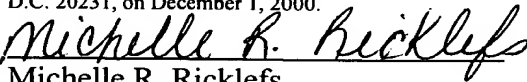
Date: December 1, 2000

By:


Scott Q. Vidas
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Minnetonka, MN 55343-9185
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Facsimile: (952) 563-3001

Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as EXPRESS MAIL, Label No. EL668460372US, addressed to Box PCT, Commissioner for Patents, Washington D.C. 20231, on December 1, 2000.


Michelle R. Ricklefs